

Meeting Date: 1/13/09

Santa Clara



AGENDA REPORT

City of Santa Clara, California

Agenda Item #

7A-11



DATE: January 5, 2009

TO: City Manager for Council Action

FROM: Director of Finance

SUBJECT: Resolution Appointing Reliance Trust Company as the Trustee for the Self-Directed Brokerage Account Option of the City's Deferred Compensation Plan

EXECUTIVE SUMMARY: At the meeting of May 2, 2000, City Council approved several amendments updating the City's Deferred Compensation Plan which is administered by Hartford Life Insurance Company. One of the amendments was for the addition of a Self-Directed Brokerage Account option with State Street Bank and Trust as the Trustee. State Street Bank and Trust is resigning and Reliance Trust Company is being appointed as successor Trustee. The City's Deferred Compensation Plan document includes a requirement for a formal designation of the Plan Trustee. The resolution appointing Reliance Trust Company as Trustee of the City's Plan is attached.

ADVANTAGES AND DISADVANTAGES OF ISSUE: Reliance Trust Company will provide the Trustee services to the City for the Self-Directed Brokerage Account option of the City's Deferred Compensation Plan. There are no disadvantages.

ECONOMIC/FISCAL IMPACT: Fees related to the Deferred Compensation Plan are paid from plan asset earnings and are the same as for the former Trustee, State Street and Bank and Trust. There are no additional economic or fiscal impacts.

RECOMMENDATION: That the Council:

- (1) Adopt the attached resolution appointing Reliance Trust Company as Trustee for the Self-Directed Brokerage Account option of the City's Direct Deferred Compensation Plan.
- (2) Authorize the City Manager to execute all documents related to the removal of State Street Bank and Trust as Trustee and the appointment of Reliance Trust Company as the successor Trustee.

APPROVED:

A handwritten signature in black ink, appearing to read "MAPWA".

Mary Ann Parrot
Director of Finance

A handwritten signature in black ink, appearing to read "Jennifer Sparacino".
Jennifer Sparacino
City Manager

Documents Related to this Report:

- 1) A Resolution of the City of Santa Clara, California, Appointing Reliance Trust Company as Trustee

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPOINTING RELIANCE TRUST
COMPANY AS TRUSTEE FOR THE CITY OF SANTA
CLARA DEFERRED COMPENSATION PLAN'S SELF-
DIRECTED BROKERAGE ACCOUNT**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, That pursuant to the authority granted to the City Council of the City of Santa Clara by its City Charter, Reliance Trust Company is hereby appointed as Trustee of the City of Santa Clara Deferred Compensation Plan's Self-Directed Brokerage Account.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA
AS FOLLOWS:**

1. That the City Manager, or designee, is authorized to sign the documents necessary to implement the agreement between Reliance Trust Company and the City of Santa Clara.
2. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION
PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A
REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 200__, BY
THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. None

J:\CITYMGR\AGENDA\Agen0809\Reliance Trust Company Resolution.doc

CITY OF SANTA CLARA
AGENDA MATERIAL ROUTE SHEET

Council Date: January 13, 2009

SUBJECT: Resolution Appointing Reliance Trust Company as the Trustee for the Self-Directed Brokerage Account Option of the City's Deferred Compensation Plan

CERTIFICATION

The proposed resolution
Regarding appointing Reliance Trust Company as the Trustee for the Self-Directed Brokerage Account
has been reviewed and is hereby certified.

PUBLICATION REQUIRED:

The attached Notice/Resolution/Ordinance is to be published _____ time(s) at least _____ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for _____, 200__.

AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:

Federal Codes:

Title _____ U.S.C. § _____
(Titles run 1 through 50)

California Codes:

Code _____ § _____
(i.e., Government, Street and Highway, Public Resources)

Federal Regulations:

Title _____ C.F.R. § _____
(Titles run 1 through 50)

California Regulations:

Title _____ California Code of Regulations § _____
(Titles run 1 through 28)

City

City Charter § _____ (i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

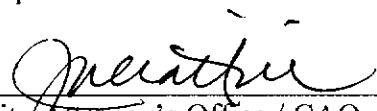
City Code § _____

1. As to City Functions, by



Department Head

2. As to Legality, by

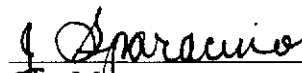


City Attorney's Office / CAO Assignment No 08. 1658

3. As to Environmental
Impact Requirements, by

Director of Planning and Inspection

4. As to Substance, by



City Manager

Revision Date June 7, 2005